

MEMORANDUM TO
THE HONORABLE BRIAN M. COGAN
UNITED STATES DISTRICT JUDGE

RE: United States v. John Franzese
DOCKET #: 08-CR-240
FOR SENTENCE: October 8, 2010 ✓

RECEIVED
HON. Brian M. Cogan
SEP 07 2010

DELAY IN PRESENTENCE INVESTIGATION &
REQUEST FOR ADJOURNMENT

DTF

On July 7, 2010, the above-named defendant was found guilty of racketeering and extortion offenses. As described in a memorandum to the Court dated August 2, 2010, there were multiple delays in the scheduling and occurrence of the presentence interview.

→ The delays have precluded the timely preparation of a presentence report, and disclosure of the report is now imminent. Therefore, the Probation Department respectfully requests that the Court grant an adjournment of sentence until November 2010 or thereafter, which would afford the Probation Department the time it needs to prepare a report. Of note, Assistant U.S. Attorney Rachel Nash and Defense Counsel Richard Lind have no objection to this request.

Should additional information be desired, please contact the undersigned at the number below, or U.S. Probation Officer Amrita Ashok at 631-712-6333.

/s/(BMC)

(New Date: 11/18/10 @ 3:00 PM.)

Application approved / Sentence adjourned / Date


9/8/10

Application denied

RESPECTFULLY SUBMITTED,

EILEEN KELLY
CHIEF U.S. PROBATION OFFICER

Prepared by:


Linda I. Fowle
Supervising U.S. Probation Officer
(631) 712-6357
Date: September 3, 2010

cc: Richard Lind, Esq.

Rachel Nash, Esq.
Assistant United States Attorney